

IN THE CIRCUIT COURT FOR THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

IN THE MATTER OF A PENDING  
CRIMINAL INVESTIGATION

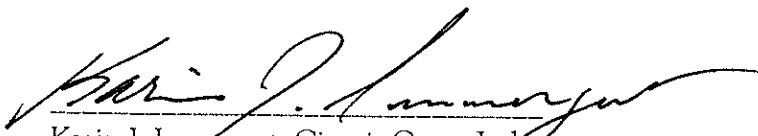
ORDER SEALING SEARCH  
WARRANT MATERIALS

Good cause appearing from the affidavit of Detective Anthony Merrill, the Court finds that disclosure of the materials subject of this order would:

- ☒ Jeopardize an ongoing law enforcement investigation;  
☐ Jeopardize the life or safety of one or more individuals whose identity and role may be determined from an inspection of those materials.

It is therefore ORDERED that the Affidavit for Search Warrant, the related Search Warrant and Seizure Order and the Return of Search Warrant issued December 7, 2018, enclosed herewith be sealed and not disclosed to any person until further order of this court.

Dated: 12/31/18

  
Karin J. Immergut, Circuit Court Judge

FILED  
2019 JAN 15 AM 10:10



MULTNOMAH COUNTY CIRCUIT COURT  
SEARCH WARRANT RETURN

The ORIGINAL WARRANT must be attached to this return.  
The completed return must be mailed to issuing judge (at 1021 SW 4<sup>th</sup> Ave,  
Portland, OR 97204) or delivered to that judge in person.  
Do not email or fax this return.

The declarant identified below makes the following search warrant return:

1. This warrant was issued by Judge KARIN IMMERGUT

2. This warrant was issued on 12 / 7 / 2018 at 9:00 am / pm.

3. The affiant was: ☒ the undersigned, or  
☐ \_\_\_\_\_ BPSST# \_\_\_\_\_

4. The warrant was: ☐ not served, or  
☒ served on 12 / 7 / 2018 at 1418 am / pm.

5. During the execution of the warrant:  
☐ No property was seized, or  
☒ Property was seized, see attached \_\_\_\_\_ pages, or  
☐ The below listed items were seized:

1) PER # A089146 Bank of America Financial Records  
2) PER # A123696 Wells Fargo Bank Financial Records  
3) OnPoint Credit Union has not forwarded me their records yet.

6. I hereby declare that the above statements (and the attached pages, if any) are true to the best of my knowledge and belief, and that I understand they are made for use as evidence in court and are subject to penalty for perjury.

Anthony J. Merrill  
OFFICER SIGNATURE

Anthony J. Merrill #35227  
PRINTED NAME

Agency: Portland Police Bureau DPSST# 35227 CONTACT # 503-793-2154

BUREAU OF POLICE  
2619 NW INDUSTRIAL ST., STE. B4  
PORTLAND, OREGON 97210  
503-823-2179

# PROPERTY/EVIDENCE RECEIPT

HOURS OF OPERATION:  
9:00 AM TO NOON &  
1:00 PM TO 4:00 PM, M-F

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER <b>No. A089146</b>	DATE/TIME <b>12-13-18 @ 1300 PM</b>	AM	REFER CASE NO.	PPB CASE NO. <b>18-183742</b>
CHECK ONE TYPE <input checked="" type="checkbox"/> <b>ONLY</b> <input checked="" type="checkbox"/> <b>EVIDENCE</b>	<input type="checkbox"/> <b>FOUND PROPERTY</b>	<input type="checkbox"/> <b>PRISONER'S PROP.</b>	<input type="checkbox"/> <b>SAFEKEEPING</b>	
PROPERTY TAKEN FROM: LAST NAME <b>Williams</b> FIRST <b>ANEKA</b> M.I. <b>F</b> SEX <b>UNK</b> DOB <b>UNK</b>		I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING		
HOME ADDRESS <b>W 800 Samuset DR, Newark, DE 19713</b>		SIGNATURE		
OWNER OF PROPERTY LAST NAME <b>Williams</b> FIRST <b>ANEKA</b> M.I. <b>F</b> SEX <b>UNK</b> DOB <b>UNK</b>		SIGNATURE		
HOME ADDRESS CITY STATE ZIP		PHONE		
TYPE OF INCIDENT <b>Homicide</b>		DELIVERING OFFICER <b>Det. Anthony Merrill</b> DPSST/ASSIGN <b>#35227</b>		
LOCATION WHERE SEIZED, FOUND, SURRENDERED <b>Detective Division</b>		INVESTIGATOR (IF DIFFERENT) <b>"</b> DPSST/ASSIGN <b>"</b>		
<input type="checkbox"/> <b>DEFENDANT</b> LAST NAME FIRST M.I. SEX RACE DOB		<input type="checkbox"/> <b>SUSPECT</b>		
FOR GUNS LIST MAKE, TYPE, CALIBER, MODEL, SERIAL NUMBER(S), IMPORTER & COUNTRY OF ORIGIN. LIST ONLY ONE ITEM PER SELECTION.		STLN FOR PED USE ONLY		
ITEM 1 <b>Bank of America - Financial Records (Hard copy) Daniel Brophy/Nancy Crampton-Brophy (6/16 to 11/18)</b>				
ITEM 2				
ITEM 3				
ITEM 4				
ITEM 5				
ITEM 6				
ITEM 7				
ITEM 8				
DELIVERED TO: <input type="checkbox"/> <b>STATE CRIME LAB</b> <input checked="" type="checkbox"/> <b>SATELLITE PROP. ROOM</b> <input type="checkbox"/> <b>PED</b>		PRECINCT & LOCKER# <b>12-13-18</b>		DATE <b>12-13-18</b>
CHECK ONE ONLY <input type="checkbox"/> <b>FED</b> <input type="checkbox"/> <b>OTHER</b>		RECEIVED BY-		
DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY				
RECEIVED BY PED DATE:		BY		WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT

BUREAU OF POLICE  
2619 NW INDUSTRIAL ST., STE. B4  
PORTLAND, OREGON 97210  
503-823-2179

**PROPERTY/EVIDENCE RECEIPT**

HOURS OF OPERATION:  
9:00 AM TO NOON &  
1:00 PM TO 4:00 PM, M-F

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER <b>No. A123696</b>		DATE/TIME <b>12/13/18 1300 PM</b>		REFER CASE NO.		PPB CASE NO. <b>18-193742</b>	
CHECK ONE TYPE <input checked="" type="checkbox"/> <b>ONLY EVIDENCE</b>		<input type="checkbox"/> FOUND PROPERTY		<input type="checkbox"/> PRISONER'S PROP.		<input type="checkbox"/> SAFEKEEPING	
PROPERTY TAKEN FROM: LAST NAME <b>SMITH</b> FIRST <b>Alisha</b> M.I. <b>F</b> SEX <b>F</b> DOB		GAVE COPY? YES <input type="checkbox"/> NO <input type="checkbox"/>		I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING			
DENIED OWNERSHIP <input type="checkbox"/> HOME ADDRESS <b>P.O. BOX 29728</b> CITY <b>Phoenix</b> STATE <b>AR</b> ZIP <b>85038</b>		OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB		SIGNATURE			
HOME ADDRESS		CITY		STATE		ZIP	
TYPE OF INCIDENT <b>Homicide</b>		DELIVERING OFFICER <b>Det. Anthony Merrill</b>		DPSST/ASSIGN <b>#3522</b>		PHONE <b>480-724-2000</b>	
LOCATION WHERE SEIZED, FOUND, SURRENDERED <b>Detective Division</b>		INVESTIGATOR (IF DIFFERENT)		DPSST/ASSIGN			
<input type="checkbox"/> DEFENDANT LAST NAME FIRST M.I. SEX RACE DOB		<input type="checkbox"/> SUSPECT					
FOR GUNS LIST MAKE, TYPE, CALIBER, MODEL, SERIAL NUMBER(S), IMPORTER & COUNTRY OF ORIGIN. LIST ONLY ONE ITEM PER SELECTION.						STLN FOR PED USE ONLY	
ITEM 1	- (1) DVD-R of Wells Fargo Financial Records - Daniel Braphy / Nancy Crampton Braphy (6/16 to 11/18)						
ITEM 2							
ITEM 3							
ITEM 4							
ITEM 5							
ITEM 6							
ITEM 7							
ITEM 8							
DELIVERED TO: <input type="checkbox"/> STATE CRIME LAB <input checked="" type="checkbox"/> SATELLITE PROP. ROOM <input type="checkbox"/> PED		PRECINCT & LOCKER#		DATE		RECEIVED BY	
CHECK ONE ONLY <input type="checkbox"/> FED <input type="checkbox"/> OTHER							
<b>DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY</b>							
RECEIVED BY PED		BY		WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT			
DATE:		TIME:					

County of Multnomah

IN THE NAME OF THE STATE OF OREGON:

COURT ORDER and SEARCH WARRANT AUTHORIZING RELEASE

You are hereby commanded to release and present to Detective Anthony Merrill of the Portland Police Bureau and associated representatives for evidence of crimes related to Murder (ORS 163.115), Unlawful Use of a Weapon (ORS 166.220), and Theft (ORS 164.015) all bank account records held by On Point Community Credit Union, Bank of America, and Wells Fargo Bank, regardless if in individual, trustee/fiduciary, trustee or active beneficiary, or joint capacity with another entity, and also accounts where she has signer authority (but not an actual owner), including all loans, credit accounts, debit accounts, checking accounts, savings accounts, and all lines-of-credit associated or otherwise connected to said accounts, in the name of Nancy Lee Crampton Brophy, an adult white female, with date of birth [REDACTED] and social security [REDACTED] and in the name of Daniel Craig Brophy, an adult white male, with date of birth of [REDACTED] and social security [REDACTED] for the time period of June 2, 2016 to Present.

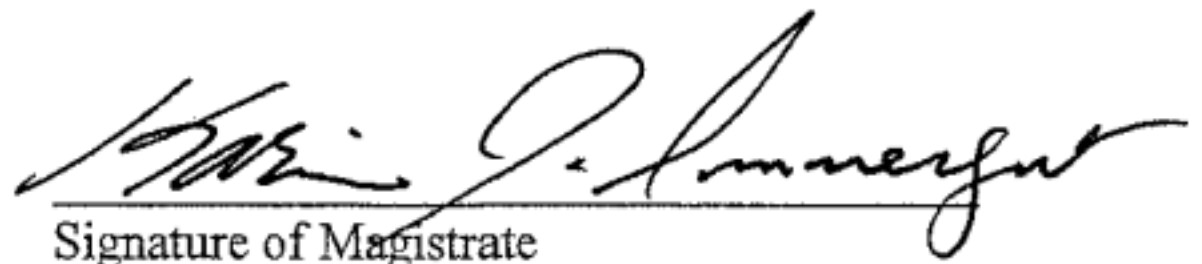
Furthermore, you are commanded to complete the attached declaration of custodian of records and return the completed declaration to Detective Anthony Merrill;

And to seize and analyze the aforesaid objects of the search;

You are further directed to make return of this warrant to me within ten (10) days after the execution thereof.

It is further ordered pursuant to ORS 165.657 that the file in this cause be sealed until otherwise ordered by the court.

ISSUED over my hand on December 7, 2018 at 9:00 a.m. p.m.

  
Signature of Magistrate

Oregon Circuit Court Judge  
Title of Magistrate



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3 accounts where she has signer authority (but not an actual owner), including all loans, credit  
4 accounts, debit accounts, checking accounts, savings accounts, and all lines-of-credit associated  
5 or otherwise connected to said accounts, in the name of Nancy Lee Crampton Brophy, an adult  
6 white female, with date of birth [REDACTED] and social security [REDACTED] and in the name  
7 of Daniel Craig Brophy, an adult white male, with date of birth [REDACTED] and social security  
8 [REDACTED]

9  
10           The following information is provided to establish probable cause relative to the  
11 information sought in this affidavit, and may not necessarily contain all of the facts and  
12 circumstances I am aware of relative to this ongoing investigation.

13  
14           That On June 2, 2018 I was directed to respond to the Oregon Culinary Institute at 1701  
15 SW Jefferson Street, City of Portland, County of Multnomah, State of Oregon to conduct an  
16 investigation related to the homicidal death of Daniel C. Brophy. The assigned Case Number is  
17 18-183742. During the course of this investigation, Detective Darren Posey, (DPSST #29521),  
18 and I oversaw the collection of information from the crime scene located in and around the  
19 Oregon Culinary Institute located at 1701 SW Jefferson Street, City of Portland, Multnomah  
20 County, and State of Oregon.

21  
22           After reviewing the initial police response, talking to officers present at the scene and  
23 debriefing with other investigators who were present, the following information has been  
24 developed regarding Case Number 18-183742. I was informed by Sergeant Whattam that police  
25 were called to respond to investigate a subject who had been recently shot with a gun and had  
26 died in one of the kitchen areas of the Oregon Culinary Institute at 0823 hours on June 2, 2018.



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3   The subject who had been killed was identified as Daniel C. Brophy who was an employed  
4   instructor at the Oregon Culinary Institute. I personally observed that Daniel C. Brophy's injuries  
5   were such that they could not have been self-inflicted, and no firearm was located at the scene.  
6   The location of the crime occurred inside the institute, and I learned from staff and personal  
7   observation the institute did not have any security surveillance camera systems. After contacting  
8   the students and other staff members responding officers were not able to identify any eye-  
9   witnesses who had heard or seen the actual crime occur. During the initial interviews with  
10  institute administrators I was unable to identify any subjects who had a current grudge or dispute  
11  with Daniel C. Brophy.

12  
13         While at the location of occurrence, Detective Posey and I conducted an audio recorded  
14  interview with the wife of Daniel C. Brophy. The wife's name is Nancy Lee Crampton Brophy.  
15  Nancy Lee Crampton Brophy told us she had come to the Oregon Culinary Institute because a  
16  friend had called her about an incident at the institute and it was on the news. Nancy Lee  
17  Crampton Brophy told me she had attempted to call Daniel C. Brophy without result. We spoke  
18  to Nancy Lee Crampton Brophy in order to determine when Daniel C. Brophy left his home and  
19  what routines he keeps in the morning. Nancy Lee Crampton Brophy provided a timeline for  
20  when Daniel C. Brophy had left their house that morning and she also provided some  
21  background information about her husband. Nancy Lee Crampton Brophy told us she believed  
22  Daniel C. Brophy left their residence in Beaverton sometime around 0705 hours and would have  
23  arrived at the institute about ten minutes or so later as they only live about five miles away.  
24  Nancy Lee Crampton Brophy also indicated she was at home at the time her husband left the  
25  house. Nancy Lee Crampton Brophy told us she did not know of any dispute or problem with  
26  any person that would provide a motive for this incident. Nancy Lee Crampton Brophy told us

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3   Daniel C. Brophy was well liked at the institute and with the students. Nancy Lee Crampton  
4   Brophy told us she and her husband had decided to buy a handgun in February of this year  
5   (2018) after hearing about the school shooting in Florida. Nancy Lee Crampton Brophy told us  
6   she believed it was still at the house, but had not looked at it recently. Nancy Lee Crampton  
7   Brophy said they had not used it as they were not really people that were familiar with guns.  
8   Nancy Lee Crampton Brophy described the gun as a Glock handgun in 9mm caliber.

9  
10         While Nancy Lee Crampton Brophy was at the Culinary Institute with us we asked if we  
11   could drive her back home and check if the firearm was still at the house, as we were unsure if  
12   Daniel C. Brophy may have had the gun with him at the Institute for protection, and it had been  
13   used against him in some way. Nancy Lee Crampton Brophy agreed, and Detective Beniga and  
14   Detective Broughton travelled with her back to her house to check the condition of the firearm.  
15   Detective Posey and I observed the vehicle Nancy Lee Crampton Brophy was driving was a gray  
16   colored Toyota Sienna mini-van with a roof rack and tinted windows. A set of pictures were  
17   taken of the vehicle Nancy Lee Crampton Brophy was driving by Detective Beniga.

18  
19         Detective Beniga later told me Nancy Lee Crampton Brophy gave the Glock 9mm  
20   handgun to them for safekeeping. The gun was found in its box without ammunition along with  
21   magazines and the slide zip-tied through the barrel.

22  
23         During this investigation a canvas for video surveillance was conducted of the  
24   surrounding businesses located by the Oregon Culinary Institute. This canvas is an investigative  
25   technique designed to locate and identify potential suspects, suspect transportation, and avenues  
26   of escape by the perpetrator. I saw that the Bellagio's Pizza restaurant located across the street

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3   from the Oregon Culinary Institute had a security surveillance system and had a camera that  
4   covered SW Jefferson Street just west of the Culinary Institute.

5  
6           While watching the video at the Bellagio's location, Detective Posey noticed and I  
7   observed a dark colored minivan drive west bound on SW Jefferson Street from the area of the  
8   Oregon Culinary Institute. The vehicle looked just like the mini-van driven by Nancy Lee  
9   Crampton Brophy. The time the mini-van travels west from the area of the institute was 0728  
10   hours (AM) as adjusted from the surveillance system that was synced to Eastern Standard Time.  
11   The mini-van on the video appeared to be driven by a subject who had gray hair. As Detective  
12   Beniga was at the house of Nancy Lee Crampton Brophy we asked him to take some pictures of  
13   her vehicle in order to compare it with the video. Detective Beniga told me when he was taking  
14   pictures of the mini-van; Nancy Lee Crampton Brophy spontaneously stated, "Why? I wasn't  
15   there this morning, I was at home."

16  
17           The information developed from the crime scene and the autopsy conducted the  
18   following day determined the bullets involved in the shooting were 9mm in caliber and were  
19   fired by a semi-auto type handgun. The casings found at the crime scene were stamped "sig 9mm  
20   luger" with silver colored exteriors. Detective Posey was also able to find from the Oregon  
21   Culinary Institute staff that Daniel Brophy had deactivated the alarm for the institute building at  
22   approximately 0721 hours on June 2, 2018. From the information developed from the autopsy  
23   and the initial observance by the Medical Examiner Daniel Brophy was shot in the back once and  
24   shot in the chest once. Both bullet impacts were centrally oriented on his body and both bullets  
25   traversed the heart. Daniel Brophy did not have any defensive type wounds on his body. I noted  
26   no items or money appeared to have been taken from Daniel Brophy and no sign of a struggle or

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3   disturbance was present at the crime scene. Further, no items were found to be disturbed or  
4   missing from the Oregon Culinary Institute.

5  
6           During the initial investigation the cell phone belonging to Daniel Brophy the deceased  
7   victim was located on his person during the incident. The phone was seized as evidence and its  
8   information downloaded by Detectives in order to preserve the evidence. Detective Posey told  
9   me he personally reviewed the information on the phone in an attempt to discover possible  
10   motive and suspect information related to Daniel Brophy's murder. During the review Detective  
11   Posey told me he found a website book mark for the title "10 ways to cover up a murder."  
12   Detective Posey told me he later had contact with Nancy Brophy who confirmed she and Daniel  
13   Brophy had a shared Apple I-Tunes account for their phones. Detective Posey told me from his  
14   research into Apple's I-Tune family sharing plans, he knew that internet searches and bookmarks  
15   are saved to the accounts search history and viewable from any phone attached to the account. I  
16   know from talking to Nancy Lee Crampton Brophy she is a romance novelist and has several  
17   books published. I also know from my investigation and interview with Nancy Lee Crampton  
18   Brophy she is involved with medical insurance counseling and is familiar with life insurance  
19   programs.

20  
21           Detective Posey and I also took time to compare the surveillance video with the pictures  
22   of Nancy Lee Crampton Brophy's mini-van. As Detective Posey and I observed the photos,  
23   Detective Posey told me he noted an older scratch with indentation of the driver's side rear  
24   quarter panel between the top of the rear wheel well and the fuel door. The scratch/indentation  
25   was rusted and had been on the vehicle for some period of time. As Detective Posey was able to  
26   view the video with a better monitor, he could see the same deformation in the mini-van on the

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3   Bellagio's Pizza surveillance video. I could also see the driver's appearance was consistent to  
4   Nancy Lee Crampton Brophy's appearance.

5  
6           After further canvassing I noted we were able to find additional video that pictured the  
7   same mini-van at the same time frames circling the area at 0708 hours. Located to the west of the  
8   Culinary Institute is a MAX platform called the Goose Hollow Station and has a series of camera  
9   systems. Detective Posey and I were able to secure the platform video for this station from 0630  
10   hours to 0730 hours. Detective Posey and I later reviewed these videos and were able to locate a  
11   van matching the description of the Toyota Sienna belonging to Nancy Lee Crampton Brophy  
12   driving in towards the Oregon Culinary Institute at 0641 hours from the west. In one of the  
13   videos we were able to identify a portion of the license plate on the gray colored Toyota Sienna  
14   mini-van. The viewable digits are "67 B." I was not able to specifically identify the first digit and  
15   the last two digits listed on the license plate, but I was able to narrow what is seen into a range of  
16   possible digits. The first digit of the plate could be a "0," but it is not completely clear enough to  
17   be sure in my estimation. The other digits of the plate observed are consistent with "Q" and "X,"  
18   but could also possibly be a "D" and a "K." The license plate for the Toyota Sienna mini-van  
19   belonging to Nancy Lee Crampton Brophy is assigned Oregon State License number "067  
20   BQX." Detective Posey told me he knew from his own internet research that Toyota made the  
21   same body and light configuration for the Sienna mini-van for 2004 and 2005 models, and that  
22   the Toyota Sienna mini-van registered to Daniel Brophy match that model seen in the video  
23   surveillance I viewed. An Oregon DMV search indicates about 21 vehicles licensed in the State  
24   of Oregon to 2004 and 2005 Toyota Sienna vans could fit this partial license plate combination.

25  
26           The other videos recovered and viewed were able to document a general area of travel for

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3   the mini-van. The van is seen arriving on SW Jefferson Street and SW 20<sup>th</sup> Avenue heading east  
4   towards the Oregon Culinary Institute at 0641 hours. The vehicle is seen heading north on SW  
5   18<sup>th</sup> Avenue. The van is later seen stopping in front of KGW Studios on SW Jefferson east of the  
6   Oregon Culinary Institute. The vehicle waits a short period of time then drives west by another  
7   camera located at 1734 SW Jefferson Street and continues west travelling by Bellagios  
8   Restaurant at 0708 hours. Detective Posey told me the van is then seen traversing the roundabout  
9   at SW Jefferson and SW 18<sup>th</sup> Avenue where it is encountered by a PGE video security camera  
10   located at SW Columbia Street and SW 16<sup>th</sup> Avenue. Detective Posey told me on this camera the  
11   mini-van turns left and drives north on SW 17<sup>th</sup> Avenue towards the Oregon Culinary Institute  
12   one block away. The vehicle is not seen driving by the other cameras until 0728 hours as it  
13   drives by Bellagios Restaurant again as it heads west towards Beaverton. The vehicle is also  
14   observed again at the Goose Hollow Tri-Met Station continuing west on NW Jefferson Street and  
15   out of view heading towards Beaverton Oregon. Based on the totality of this information I  
16   believe Nancy Lee Crampton Brophy was circling the area in her dark colored mini-van prior to  
17   Daniel C. Brophy's arrival at the Oregon Culinary Institute, and Nancy Lee Crampton Brophy  
18   was watching for Daniel C. Brophy's arrival in order to effect his eventual murder.

19  
20           It should be noted Detective Posey told me a court order/warrant was served on the  
21   AT&T account for the cell phone number of Nancy Lee Crampton Brophy for the historical  
22   location information for the phone. The return of the warrant information requested is still being  
23   analyzed, but Detective Posey told me the initial indication shows the phone located in the area  
24   of Nancy Lee Crampton Brophy's residence in Beaverton Oregon during the time of the incident  
25   when Daniel Brophy was murdered. According to the initial analysis from the Detective Division  
26   crime analyst, Nancy Lee Crampton Brophy's phone was not used but was on and connected to a

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3   nearby cell site.  
4

5           During this investigation I spoke to Nathaniel Stillwater the son of Daniel Brophy on  
6   June 27, 2018. During our conversation I learned Nancy Lee Crampton Brophy used to sell life  
7   insurance. I also found Nathaniel Stillwater was unaware of the recent purchase of a handgun by  
8   Nancy Lee Crampton Brophy. Nathaniel Stillwater told us he was surprised about the purchase  
9   of the gun, and thought it was odd as he did not know they were considering such a purchase.  
10   Nathaniel Stillwater told us he did not consider Nancy Lee Crampton Brophy or his father to be  
11   the type of people to own a gun. Nathaniel Stillwater told us he is familiar with firearms and  
12   owns several firearms for hunting and sporting activities. Nathaniel Stillwater told us his father  
13   knew this about him, and he thought his father would have likely talked to him about such a  
14   purchase.  
15

16          Nancy Lee Crampton Brophy told me she purchased the firearm at a gun show in  
17   February 2018, and she had not used the gun or had any ammunition to load into the firearm.  
18   When she gave the firearm to Detective Beniga she also provided a copy of the purchase receipt.  
19   The receipt listed J&B Firearm Sales as the vendor who sold the firearm to Nancy Lee Crampton  
20   Brophy. I confirmed the serial number on the firearm matched that of the receipt. I went to J&B  
21   Firearms located at 10201SW Beaverton-Hillsdale Highway in Beaverton Oregon. Detective  
22   Posey and I spoke with the employees there and they informed us that when they sell firearms at  
23   the gun shows they do not sell ammunition. The employees showed us the type of zip ties they  
24   use for securing weapons at the gun shows. I noted the zip tie used was similar to the one found  
25   on the gun Nancy Lee Crampton Brophy had turned over for safe keeping. While at J&B  
26   Firearms I noted they had the same type of ammunition for sale that was found in the crime

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3 scene. I also noted that J&B Firearms Store is located less than a mile away from Nancy Lee  
4 Crampton Brophy's home address.

5  
6           On August 29, 2018 Detective Posey told me he submitted an affidavit for a warrant to  
7 test and analyze the Glock 17 firearm given to Detective Beniga and Detective Broughton for  
8 safe keeping by Nancy Lee Crampton Brophy. Multnomah County Circuit Court Judge Amy  
9 Holmes Hehn issued a warrant to test and analyze the Glock 17 handgun with serial number  
10 [REDACTED] Detective Posey told me he transferred this firearm along with the two casings and  
11 bullets recovered from the crime scene to the Oregon State Criminal Laboratory on August 29,  
12 2018. On September 4, 2018 Detective Posey told me he spoke to Leland Samuelson the forensic  
13 scientist and firearm expert who conducted the analysis of the handgun, casings, and bullets.  
14 Detective Posey told me Leland Samuelson told him the Glock 17 handgun with serial number  
15 [REDACTED] was not the gun that fired the bullets that killed Daniel Brophy. Detective Posey told  
16 me Leland Samuelson told him the gun used to shoot the ammunition components from the  
17 crime scene was most likely a different Glock handgun of 9mm caliber. Leland Samuelson  
18 confirmed the same gun was used to fire both bullets in the murder Daniel Brophy.

19  
20           On September 5, 2018 Nancy Lee Crampton Brophy was arrested and Portland Police  
21 Detectives served a search warrant on the residence and vehicle of Nancy Lee Crampton Brophy  
22 at [REDACTED] Beaverton, Oregon. During the search a silver colored HP laptop  
23 computer with serial number [REDACTED] and a black and gray colored HP laptop computer  
24 with serial number [REDACTED] were located. Also during the service of this warrant we found  
25 Nancy Lee Crampton Brophy had been in the process of moving items out of the residence.  
26 Detective Posey and I were told by Nathaniel Stillwater (Son of Daniel Brophy) about a storage



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3 facility that Nancy Lee Crampton Brophy had been recently storing items in from her residence.  
4 The storage facility was located at [REDACTED] Detective Posey  
5 told me he applied for an additional addendum warrant to search this location, and received from  
6 Multnomah County Circuit Court Judge Amy Holmes Hehn on September 7, 2018 a warrant to  
7 search this storage facility space. During the search of this storage space number [REDACTED] we found  
8 a 9mm Glock 19 type handgun from "GhostGuns.com." The handgun was a build kit that uses an  
9 un-serialized frame so the gun does not have to be registered with governmental agencies. The  
10 gun was not assembled at the time of discovery.

11  
12           Detective Posey told me he contacted "GhostGuns.com" regarding purchase information  
13 they might have for Nancy Lee Crampton Brophy. On September 10, 2018 Detective Posey told  
14 me he received information from Kyle at "GhostGuns.com" regarding the purchase information  
15 he had for Nancy Lee Crampton Brophy. Detective Posey told me he received via email an  
16 invoice from December 24, 2017 for the purchase of an 80% build kit for a Glock 19, 9mm  
17 handgun. The receipt was listed for "Nancy Brophy" at [REDACTED] Beaverton,  
18 Oregon 97005. The card used to purchase the gun was with a Visa credit card with last four  
19 digits of [REDACTED] believed to be associated to Nancy Lee Crampton Brophy's On Point Credit  
20 Union checking account. Kyle also provided the US Postal shipping information and delivery  
21 information showing a delivery on January 2<sup>nd</sup>, 2018 and a customer request for a parcel hold at  
22 the post office in Beaverton, Oregon.

23  
24           Detective Posey told me a separate warrant was petitioned and received to examine the  
25 lap top computers seized. The lap-top computers were imaged / copied in order to view the  
26 information. Detective Posey told me he began viewing the information and found in the search

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3 history typed information for a Glock 17 slide and barrels for sale. Through this search  
4 information Detective Posey told me he found internet history indicating searches conducted for  
5 Glock 17 Gen4 9mm slide and barrels for sale on EBay Incorporated. Detective Posey told me he  
6 as he continued the analysis of the searched items I saw Nancy Lee Crampton Brophy has an  
7 associated account with "PayPal" which is a payment system used by EBay customers to pay for  
8 purchases through the EBay system.

9  
10           I know that the gun Nancy Lee Crampton Brophy purchased at the gun show on February  
11 17, 2017 is a Glock 17 Gen4 9mm handgun. I know from my review of information found during  
12 the search warrant service as well as articles written by Nancy Lee Crampton Brophy, she has  
13 spent time studying and reading about police procedures as well as tactics used to conceal  
14 criminal behavior. I know from my own training and experience with Glock handguns, they can  
15 be manipulated in such a way so the slide and barrel from one Glock 17 handgun frame can be  
16 interchanged with another handgun frame effectively changing the firearm. I know from my own  
17 research and understanding of Glock firearms including my conversations with firearm experts  
18 that changing the barrel and slide from one Glock frame to another Glock frame of similar model  
19 will transfer the unique imprinting on the casing and bullet. I also know that the barrel and slide  
20 though serialized by Glock are not registered and can be sold and purchased without making  
21 notification with the Alcohol, Tobacco, and Firearms Administration (ATF) or other  
22 governmental agencies.

23  
24           On October 19, 2018 Detective Posey told me he received search warrants for EBay  
25 Incorporated and PayPal Incorporated from Multnomah County Circuit Court Judge Amy  
26 Holmes Hehn. Detective Posey told me he served the warrants via their email portals. On

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3   October 23, 2018 Detective Posey told me he received information from EBay Incorporated, and  
4   on October 31, 2018 Detective Posey told me he received information from PayPal Incorporated  
5   for Nancy Lee Crampton Brophy's payment and transaction history. Detective Posey told me he  
6   conducted a review of the information on November 1, 2018 and found a transaction through  
7   PayPal Incorporated for a purchase from Caroline Colt Company LLC. The transaction Detective  
8   Posey told me he found was for \$364.99 dated on February 23, 2018, and coincided with Nancy  
9   Lee Crampton Brophy's laptop computer search on EBay for a Glock 17 Gen 4 slide and barrel.  
10   Detective Posey told me he checked the Caroline Colt Company LLC online and found their  
11   contact information. Detective Posey told me he emailed the company and explained who he was  
12   and asked if they retained information regarding transaction information for Nancy Lee  
13   Crampton Brophy. On November 1, 2018 Detective Posey told me he was contacted by Patrick  
14   Cowen of Caroline Colt Company LLC and he provided Detective Posey with the transaction  
15   information he had for Nancy Lee Crampton Brophy. The transaction information provided by  
16   Patrick Cowen showed an EBay purchase for a Glock Model 17 Gen 4 complete slide and barrel  
17   9mm upper and included shipping information for February 26, 2018 to Nancy Brophy at [REDACTED]  
18   [REDACTED] Beaverton Oregon with United States Postal Service tracking number  
19   [REDACTED]

20  
21       During this investigation a review was conducted of the documents seized during the  
22   search warrant of Nancy Lee Crampton Brophy's residence, and Detective Posey and I learned  
23   through this that Nancy Lee Crampton Brophy used to sell life insurance policies for various  
24   companies. Detective Posey told me he also found during this review approximately nine  
25   different insurance policies where he believes Nancy Lee Crampton Brophy is the beneficiary.  
26   The following is a list of the insurance company names found and the approximate face value of

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3   the policy: Foresters with \$40,000 benefit, Fidelity and Guaranty Life with \$100,000 benefit,  
4   Lincoln National Life Insurance with \$100,000 benefit, Mutual of Omaha with \$250,000 benefit,  
5   American-Amicable Life Insurance with \$200,000 benefit, Americo Insurance with \$100,000  
6   benefit, SAIF Corporation with \$8,310.00 paid benefits, Life Map Insurance with \$2,500 benefit,  
7   and Aviva Life and Annuity Company with an unknown face value. Detective Posey told me  
8   from his review of Nancy Lee Crampton Brophy's laptop computer as well as her life insurance  
9   information he found she potentially has financial accounts with the following institutions; On-  
10   Point Community Credit Union, Bank of America, and Wells Fargo Bank. Detective Posey told  
11   me he knows from his review of the PayPal information as well as additional documents that  
12   Nancy Lee Crampton Brophy has an On Point Community Credit Union account. Detective  
13   Posey told me he also found a Bank of America account login via email transactions on Nancy  
14   Lee Crampton Brophy's lap top computer dated on June 12, 2018. From this information I  
15   believe Nancy Lee Crampton Brophy has some type of financial account with Bank of America.  
16   Detective Posey told me he knows through the review of documents that Nancy Lee Crampton  
17   Brophy has access to a Wells Fargo account set up for her deceased brother's (Mark Crampton)  
18   estate, as Nancy Lee Crampton Brophy was the executor. Detective Posey told me he is also  
19   aware of other Visa and MasterCard credit and debit accounts that have yet to be determined  
20   financial institution connections.

21  
22           I know from my training and experience that deposits of insurance funds as well as  
23   payments or premiums paid for coverage of the insurance policies is often done directly by the  
24   bank through an electronic transfer of funds. As many of these files are reported through  
25   electronic statements it is unlikely there is a printed copy of these transactions. The information  
26   from the bank records and transaction history is needed to establish how the insurance policies

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3   were paid for as well as what accounts were used to pay for the insurance premiums. Due to the  
4   numerous and varied life and accident insurance policies acquired for Nancy Lee Crampton  
5   Brophy's benefit, it is important to determine how the policies were paid for, and if the insurance  
6   policies were obtained secretly without Daniel Brophy's knowledge. The financial institutions of  
7   On Point Community Credit Union, Wells Fargo Bank, and Bank of America are needed to  
8   understand the nature of the accounts and the relation they play in regards to the life and accident  
9   insurance policies acquired by Nancy Lee Crampton Brophy.

10  
11           That I therefore ask the above-entitled court issue a search warrant for the release of all  
12   bank account records held by On Point Community Credit Union, Bank of America, and Wells  
13   Fargo Bank regardless if in individual, trustee/fiduciary, trustee or active beneficiary, or joint  
14   capacity with another entity, and also accounts where she has signer authority (but not an actual  
15   owner), including all loans, credit accounts, debit accounts, checking accounts, savings accounts,  
16   and all lines-of-credit associated or otherwise connected to said accounts, in the name of Nancy  
17   Lee Crampton Brophy, an adult white female, with date of birth [REDACTED] and social security  
18   [REDACTED] and in the name of Daniel Craig Brophy, an adult white male, with date of birth of  
19   [REDACTED] and social security # [REDACTED]

20  
21           I request the records be provided for the time period of June 2, 2016 to Present. This  
22   request includes monthly account statements, deposit records with offsets, ATM deposits with  
23   offsets, withdrawal records, account transfer records, banker's notes and signature cards for any  
24   and all accounts held individually or jointly, open or closed for the accounts described above.

25  
26           I know from training and experience that premature disclosure of the contents of this

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3 affidavit would jeopardize the investigation because it could release information known only to  
4 law enforcement investigators. This could allow information to be released that could otherwise  
5 be used to check the accuracy of information by witnesses and suspects related to this case.  
6 Based on the foregoing, I request the affidavit be sealed until further ordered by the court,  
7 excepting that it may be provided to the defense team in this case subject to the terms of any  
8 protective order currently governing discovery in the case.  
9  
10  
11

12           I further request and petition, pursuant to ORS 192.596(6) that the requirements of ORS  
13 192.596(2), (4), and (5) for service of a copy of the search warrant to the bank customer be  
14 waived on the ground that there is reasonable cause to believe the customer has committed the  
15 crime of theft and such notification could impede further investigation of the suspect;  
16

17                               Anthony J. Meritt #35227  
18                               Affiant

19 SUBSCRIBED AND SWORN TO before me this 7<sup>th</sup> day of December 2018.  
20

21                               Harin J. Sommergut  
22                               Judge  
23  
24  
25  
26